

Environmental Protection Agency**§ 52.50**

in Pennsylvania. The Administrator of EPA finds that any existing or new major source or group of stationary sources emits or would emit NO_x in amounts that contribute significantly to nonattainment in, or interfere with maintenance by, the State of Pennsylvania, with respect to the 8-hour NAAQS for ozone:

- (i) In a category of large EGUs or large non-EGUs;
- (ii) Located in one of the States (or portions thereof) listed in paragraph (h)(4) of this section; and
- (iii) Within one of the "Named Source Categories" listed in the portion of Table F-1 in appendix F of this part describing the sources of NO_x emissions covered by the petition of the State of Pennsylvania.

(4) *States or portions of States that contain sources for which EPA is making an affirmative technical determination with respect to the 8-hour ozone standard in Pennsylvania.* The States that contain sources for which EPA is making an affirmative technical determination are:

- (i) Alabama.
- (ii) Illinois.
- (iii) Indiana.
- (iv) Kentucky.
- (v) Michigan.
- (vi) Missouri.
- (vii) North Carolina.
- (viii) Ohio.
- (ix) Tennessee.
- (x) Virginia.
- (xi) West Virginia.

(i) *Withdrawal of section 126 findings.* Notwithstanding any other provision of this subpart, a finding under paragraphs (c), (e)(1) and (e)(2), (g), and (h)(1) and (h)(2) of this section as to a particular major source or group of stationary sources in a particular State will be deemed to be withdrawn, and the corresponding part of the relevant petition(s) denied, if the Administrator issues a final action putting in place implementation plan provisions that comply with the requirements of §§ 51.121 and 51.122 of this chapter for such State.

(j) *Section 126 control remedy.* The Federal NO_x Budget Trading Program in part 97 of this chapter applies to the owner or operator of any new or existing large EGU or large non-EGU as to which the Administrator makes a find-

ing under section 126(b) of the Clean Air Act pursuant to the provisions of paragraphs (c), (e)(1) and (e)(2), (g), and (h)(1) and (h)(2) of this section.

(k) *Stay of findings with respect to the 8-hour ozone standard.* Notwithstanding any other provisions of this subpart, the effectiveness of paragraphs (d), (e)(3) and (e)(4), (f), (h)(3) and (h)(4) of this section is stayed.

(l) *Temporary stay of rules.* Notwithstanding any other provisions of this subpart, the effectiveness of this section is stayed from July 26, 1999 until February 17, 2000.

[64 FR 28318, May 25, 1999, as amended at 64 FR 33961, June 24, 1999; 65 FR 2042, Jan. 13, 2000; 65 FR 2726, Jan. 18, 2000]

Subpart B—Alabama**§ 52.50 Identification of plan.**

(a) *Purpose and scope.* This section sets forth the applicable State implementation plan for Alabama under section 110 of the Clean Air Act, 42 U.S.C. 7401, and 40 CFR part 51 to meet national ambient air quality standards.

(b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to December 1, 1998, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Material is incorporated as it exists on the date of the approval, and notice of any change in the material will be published in the FEDERAL REGISTER. Entries in paragraphs (c) and (d) of this section with EPA approval dates after December 1, 1998, will be incorporated by reference in the next update to the SIP compilation.

(2) EPA Region 4 certifies that the rules/regulations provided by EPA in the SIP compilation at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated State rules/regulations which have been approved as part of the State implementation plan as of December 1, 1998.

(3) Copies of the materials incorporated by reference may be inspected at the Region 4 EPA Office at 61 Forsyth Street, SW., Atlanta, GA 30303; the Office of Federal Register, 800 North Capitol Street, NW., Suite 700,

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Washington, DC.; or at the EPA, Air Center, Air Docket (6102), 401 M Street, and Radiation Docket and Information SW., Washington, DC. 20460.

(c) *EPA approved regulations.*

EPA APPROVED ALABAMA REGULATIONS

State citation	Title subject	Adoption rate	EPA approval date	Federal Register notice
Chapter No. 335-3-1—General Provision				
Section 335-3-1-.01.	Purpose	06/22/89	03/19/90	55 FR 10062.
Section 335-3-1-.02.	Definitions	10/13/98	03/01/99	64 FR 9918.
Section 335-3-1-.03.	Ambient Air Quality Standards	10/13/98	03/01/99	64 FR 9918.
Section 335-3-1-.04.	Monitoring, Records, Reporting	10/15/96	06/06/97	62 FR 30091.
Section 335-3-1-.05.	Sampling and Test Methods	06/22/89	03/19/90	55 FR 10062.
Section 335-3-1-.06.	Compliance Schedule	10/15/96	06/06/97	62 FR 30991.
Section 335-3-1-.07.	Maintenance and Malfunctioning of Equipment; Reporting ..	10/15/89	03/19/90	55 FR 10062.
Section 335-3-1-.08.	Prohibition of Air Pollution	10/15/96	06/06/97	62 FR 30991.
Section 335-3-1-.09.	Variances	10/15/96	06/06/97	62 FR 30991.
Section 335-3-1-.10.	Circumvention	06/22/89	03/19/90	55 FR 10062.
Section 335-3-1-.11.	Severability	10/15/96	06/06/97	62 FR 30991.
Section 335-3-1-.12.	Bubble Provision	06/22/89	03/19/90	55 FR 10062.
Section 335-3-1-.13.	Credible Evidence	04/13/99	11/03/99	64 FR 59635
Air Pollution Emergency				
Section 335-3-2-.01.	Air Pollution Emergency	06/22/89	03/19/90	55 FR 10062.
Section 335-3-2-.02.	Episode Criteria	10/15/96	06/06/97	62 FR 30991.
Section 335-3-2-.03.	Special Episode Criteria	06/22/89	03/19/90	55 FR 10062.
Section 335-3-2-.04.	Emission Reduction Plans	06/22/72	05/31/72	62 FR 30991.
Section 335-3-2-.05.	Two Contaminant Episode	06/22/89	03/19/90	55 FR 10062.
Section 335-3-2-.06.	General Episodes	06/22/89	03/19/90	55 FR 10062.
Section 335-3-2-.07.	Local Episodes	06/22/89	03/19/90	55 FR 10062.
Section 335-3-2-.08.	Other Sources	10/15/96	06/06/97	62 FR 30991.
Section 335-3-2-.09.	Other Authority Not Affected	06/22/89	03/19/90	55 FR 10062.
Control of Open Burning and Incineration				
Section 335-3-3-.01.	Open Burning	08/19/97	01/07/98	63 FR 674.
Section 335-3-3-.02.	Incinerators	06/22/89	05/19/90	55 FR 10062.
Section 335-3-3-.03.	Incineration of Wood, Peanut, and Cotton Ginning Wastes	06/22/89	03/19/90	55 FR 10062.
Control of Particulate Emissions				
Section 335-3-4-.01.	Visible Emissions	10/15/96	06/06/97	62 FR 30991.
Section 335-3-4-.02.	Fugitive Dust and Fugitive Emissions	10/15/96	06/06/97	62 FR 30991.
Section 335-3-4-.03.	Fuel Burning Equipment	10/15/96	06/06/97	62 FR 30991.
Section 335-3-4-.04.	Process Industries—General	10/15/96	06/06/97	62 FR 30991.

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State citation	Title subject	Adoption rate	EPA approval date	Federal Register notice
Section 335–3–4– .05.	Small Foundry Cupola	06/22/89	03/19/90	55 FR 10062.
Section 335–3–4– .06.	Cotton Gins	06/22/89	03/19/90	55 FR 10062.
Section 335–3–4– .07.	Kraft Pulp Mills	10/15/96	06/06/97	62 FR 30991.
Section 335–3–4– .08.	Wood Waste Boilers	10/15/96	06/06/97	62 FR 30991.
Section 335–3–4– .09.	Coke Ovens	10/15/96	06/06/97	62 FR 30991.
Section 335–3–4– .10.	Primary Aluminum Plants	06/22/89	03/19/90	55 FR 10062.
Section 335–3–4– .11.	Cement Plants	10/15/96	06/06/97	62 FR 30991.
Section 335–3–4– .12.	Xylene Oxidation Process	06/22/89	03/19/90	55 FR 10062.
Section 335–3–4– .13.	Sintering Plants	06/22/89	03/19/90	55 FR 10062.
Section 335–3–4– .14.	Grain Elevators	10/15/96	06/06/97	62 FR 30991.
Section 335–3–4– .15.	Secondary Lead Smelters	10/15/96	06/06/97	55 FR 30991.
Section 335–3–4– .17.	Steel Mills located in Etowah County	10/15/96	06/06/97	55 FR 30991.
Chapter 335–3–5	Control of Sulfur Compound Emissions			
Section 335–3–5– .01.	Fuel Combustions	10/15/97	06/06/97	55 FR 30991.
Section 335–3–5– .02.	Sulfuric Acid Plants	10/15/96	06/06/97	55 FR 30991.
Section 335–3–5– .03.	Petroleum Production	10/15/96	06/06/97	55 FR 30991.
Section 335–3–5– .04.	Kraft Pulp Mills	06/22/89	03/19/90	55 FR 10062.
Section 335–3–5– .05.	Process Industries—General	06/22/89	03/19/90	55 FR 10062.
Chapter 335–3–6	Control of Organic Emissions			
Section 335–3–6– .01.	Applicability	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .02.	VOC Water Separation	06/22/90	03/19/90	55 FR 10062.
Section 335–3–6– .03.	Loading and Storage of VOC	06/22/89	03/19/90	55 FR 10062.
Section 335–3–6– .04.	Fixed-Roof Petroleum Liquid Storage Vessels	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .05.	Bulk Gasoline Plants	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .06.	Gasoline Terminals	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .07.	Gasoline Dispensing Facilities—Stage I	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .08.	Petroleum Refinery Sources	06/22/89	03/19/90	55 FR 10062.
Section 335–3–6– .09.	Pumps and Compressors	06/22/89	03/19/90	55 FR 10062.
Section 335–3–6– .10.	Ethylene Producing Plants	06/22/89	03/19/90	55 FR 10062.
Section 335–3–6– .11.	Surface Coating	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .12.	Solvent Metal Cleaning	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .13.	Cutback Asphalt	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .14.	Petition for Alternative Controls	06/22/89	03/19/90	55 FR 10062.
Section 335–3–6– .15.	Compliance Schedules	10/15/96	06/06/97	62 FR 30991.
Section 335–3–6– .16.	Test Methods and Procedures	08/19/97	01/07/98.	63 FR 674.
Section 335–3–6– .17.	Manufacture of Pneumatic Rubber Tires	10/15/96	06/06/97	62 FR 30991.

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EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title subject	Adoption rate	EPA approval date	Federal Register notice
Section 335-3-6-.18.	Manufacture of Synthesized Pharmaceutical Products	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.19.	Reserved	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.20.	Leaks from Gasoline Tank Trucks and Vapor Collection	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.21.	Leaks from Petroleum Refinery Equipment	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.22.	Graphic Arts	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.23.	Petroleum Liquid Storage in External Floating Roof Tanks	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.24.	Applicability	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.25.	VOC Water Separation	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.26.	Loading and Storage of VOC	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.27.	Fixed-Roof Petroleum Liquid Storage Vessels	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.28.	Bulk Gasoline Plants	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.29.	Gasoline Terminals	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.30.	Gasoline Dispensing Facilities—Stage I	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.31.	Petroleum Refinery Sources	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.32.	Surface Coating	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.33.	Solvent Metal Cleaning	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.34.	Cutback Asphalt	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.35.	Petition for Alternative Controls	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.36.	Compliances Schedules	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.37.	Test Methods and Procedures	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.38.	Manufacture of Pneumatic Tires	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.39.	Manufacture of Synthesized Pharmaceutical Products	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.40.	Reserved.			
Section 335-3-6-.41.	Leaks from Gasoline Tank Trucks and Vapor Collection Systems.	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.42.	Leaks from Petroleum Refinery Equipment	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.43.	Graphic Arts	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.44.	Petroleum Liquid Storage in External Floating Roof Tanks	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.45.	Large Petroleum Dry Cleaners	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.46.	Aerospace Assembly and Component and Component Coatings Operations.	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.47.	Leaks from Coke by-Product Recovery Plant Equipment	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.48.	Emissions from Coke by-Product Recovery Plant Coke Oven Gas Bleeder.	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.49.	Manufacture of Laminated Countertops	06/22/89	03/19/90	55 FR 10062.
Section 335-3-6-.50.	Paint Manufacture	10/15/96	06/06/97	62 FR 30991.
Section 335-3-6-.51.	Gasoline Dispensing Facilities—Stage II Control.			
Section 335-3-6-.52.	Seasonal Afterburner Shutdown—VOC Control Only.			

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EPA APPROVED ALABAMA REGULATIONS—Continued

State citation	Title subject	Adoption rate	EPA approval date	Federal Register notice
Chapter 335–3–7	Carbon Monoxide Emissions			
Section 335–3–7–.01.	Metals Productions	06/22/89	03/19/90	55 FR 10062.
Section 335–3–7–.02.	Petroleum Processes	06/22/89	03/19/90	55 FR 10062.
Chapter 335–3–8	Nitrogen Oxides Emissions			
Section 335–3–8–.01.	New Combustion Sources	06/22/89	03/19/90	55 FR 10062.
Section 335–3–8–.02.	Nitric Acid Manufacturing	10/15/96	06/06/97	62 FR 30991.
Chapter 335–3–9	Control of Emissions from Motor Vehicles			
Section 335–3–9–.01.	Visible Emission Restriction for Motor Vehicles	10/15/96	06/06/97	62 FR 30991.
Section 335–3–9–.01.	Ignition System and Engine Speed	06/22/89	03/19/90	55 FR 10062.
Section 335–3–9–.02.	Crankcase Ventilation System	06/22/89	03/19/90	55 FR 10062.
Section 335–3–9–.04.	Exhaust Emission Control Systems	06/22/89	03/19/90	55 FR 10062.
Section 335–3–9–.05.	Evaporative Loss Control Systems	06/22/89	03/19/90	55 FR 10062.
Section 335–3–9–.06.	Other Prohibited Acts	06/22/89	03/19/90	55 FR 10062.
Section 335–3–9–.07.	Effective Date	10/15/96	06/06/97	62 FR 30991
Chapter 335–3–12–.01	Continuous Monitoring Requirements for Existing Sources			
Section 335–3–12–.01.	General	06/22/89	03/19/90	55 FR 10062.
Section 335–3–12–.02.	Emission Monitoring and Reporting Requirements	02/17/98	09/14/98	63 FR 49005.
Section 335–3–12–.03.	Monitoring System Malfunction	06/22/89	03/19/90	55 FR 10062.
Section 335–3–12–.04.	Alternate Monitoring and Reporting Requirements	06/22/89	03/19/90	55 FR 10062.
Section 335–3–12–.05.	Exemptions and Extensions	06/22/89	03/19/90	55 FR 10062.
Chapter 335–3–13	Control of Fluoride Emissions			
Section 335–3–13–.01.	General	10/15/96	06/06/97	62 FR 30991.
Section 335–3–13–.02.	Superphosphoric Acid Plants	10/15/96	06/06/97	62 FR 30991.
Section 335–3–13–.03.	Diammonium Phosphate Plants	10/15/96	06/06/97	62 FR 30991.
Section 335–3–13–.04.	Triple Superphosphate Plants	10/15/96	06/06/97	62 FR 30991.
Section 335–3–13–.05.	Granular Triple Superphosphate Storage Facilities	10/15/96	06/06/97	62 FR 30991.
Section 335–3–13–.06.	Wet Process Phosphoric Acid Plants	10/15/96	06/06/97	62 FR 30991.
Chapter 335–3–3–14	Permits			
Section 335–3–14–.01.	General Provisions	02/17/98	09/14/98	63 FR 49005.
Section 335–3–14–.02.	Permit Procedure	10/15/96	06/06/97	62 FR 30991.
Section 335–3–14–.03.	Standards for Granting Permits	10/15/96	06/06/97	62 FR 30991.
Section 335–3–14–.04.	Air Permits Authorizing Construction in Clean Air Areas (Prevention of Significant Deterioration) (PSD).	10/15/96	06/06/97	62 FR 30991.
Chapter No. 335–3–14—Air Permits				
Section 335–3–14–.04(ff–gg).	Air Permits Authorizing Construction in Clean Air Areas [Prevention of Significant Deterioration (PSD)].	04/13/99	11/03/99	64 FR 59635
Section 335–3–14–.04(8)(m).	Air Permits Authorizing Construction in Clean Air Areas [Prevention of Significant Deterioration (PSD)].	04/13/99	11/03/99	64 FR 59635

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State citation	Title subject	Adoption rate	EPA approval date	Federal Register notice
Section 335-3-14-.05.	Air Permits Authorizing Construction in or near Nonattainment Areas.	02/17/98	09/14/98	63 FR 49005.
Synthetic Minor Operating Permits				
Chapter 335-3-15	Definitions	10/15/96	06/06/97	62 FR 30991.
Section 335-3-15-.01.	General Provisions	10/15/96	06/06/97	62 FR 30991.
Section 335-3-15-.02.	Applicability	11/23/93	10/20/94	59 FR 52916.
Section 335-3-15-.03.	Synthetic Minor Operating Permit Requirements	10/15/96	06/06/97	62 FR 30991.
Section 335-3-15-.04.	Synthetic Minor Operating Permit Requirements	10/15/96	06/06/97	62 FR 30991.
Section 335-3-15-.05.	Public Participation	10/15/96	06/06/97	62 FR 30991.
Appendices				
Appendix 11.2	Emissions Statements	11/13/92	11/13/92	59 FR 39684.
Appendix 11.1	Small Business Stationary Source Technical and Environmental Assistance Program.	11/13/92	11/13/92	59 FR 54388.
Appendix F	Maintenance Plan for the Leeds Area	09/28/93	09/28/93	60 FR 2029.
Chapter No. 335-3-17, Section 335-3-1-.01.	Transportation Conformity	03/27/98	05/11/00	65 FR 30361
Chapter No. 335-3-17, Section 335-3-1-.02.	General Conformity	03/27/98	05/11/00	65 FR 30362

(d) *EPA-approved State source specific requirements.*

EPA-APPROVED ALABAMA SOURCE-SPECIFIC REQUIREMENTS

Name of source	Permit number	State effective date	EPA approval date	Comments
None.				

(e) *EPA-approved Alabama non-regulatory provisions.*

Provision	State effective date	EPA approval date	Federal Register notice	Comments
Birmingham 1990 Baseline Emissions Inventory.	November 13, 1992.	06/04/99	64 FR 29961	
Alabama Interagency Transportation Conformity Memorandum of Agreement.	January 20, 2000	05/11/00	65 FR 30362	

[63 FR 70672, Dec. 22, 1998, as amended at 64 FR 9918, Mar. 1, 1999; 64 FR 29961, June 4, 1999; 64 FR 59635, Nov. 3, 1999; 65 FR 30361, 30362, May 11, 2000]

EFFECTIVE DATE NOTE: At 65 FR 30361 and 30362, May 11, 2000, § 52.50 was amended by adding an entry at the end of the table in paragraph (c) for State citation: Chapter No. 335-3-17, Section 335-3-1-.01, and an entry for State citation: Chapter No. 335-3-17, Section 335-3-1-.02, and an entry at the end of the table in paragraph (e) for Provision: Alabama Interagency Transportation Con-

formity Memorandum of Agreement, effective July 10, 2000.

§ 52.51 Classification of regions.

The Alabama plan was evaluated on the basis of the following classifications: